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WHA FOR DAS REYNOSO  
WHA/CAR FOR (V.DEPIRRO, W.SMITH, J.MACK-WILSON)  
L/LEI (CHOLLAND) (AKLUESNER)  
INR/IAA (GBOHIGAN)  
JUSTICE FOR OIA (PPETTY)  
TREASURY FOR ERIN NEPHEW  
INR/RES (RWARNER)  
CENTRAL AMERICAN CARIBBEAN BASIN COLLECTIVE

E.O. 12958: N/A  
TAGS: [CJAN](#) [SNAR](#) [MARR](#) [PREL](#) [SOCI](#) [EAID](#) [ASEC](#) [KCRM](#) [KCOR](#) [IMF](#) [AID](#)  
TRSY, JM, XL  
SUBJECT: JAMAICA: PM LAMENTS LAW ENFORCEMENT PRIMACY IN USG  
RELATIONSHIP, HINTS AT COKE EXTRADITION REFUSAL; POST REQUESTS  
DELIVERY OF DEMARCHE

REF: KINGSTON 86; KINGSTON 90; 09 KINGSTON 1190; 09 KINGSTON 697

Summary and Action Request:

1. (SBU) On the evening of January 27, the CDA met with Prime Minister (PM) Bruce Golding in his office at Jamaica House regarding the bilateral relationship in general and the status of recent USG extradition requests in particular. The PM expressed concern that, in recent years, the relationship between the Government of Jamaica (GOJ) and the USG had gradually become dominated by law enforcement concerns. The CDA disagreed, noting that the USG was very engaged with the GOJ through USAID, the Peace Corps, military-to-military ties, consular services, and other forms of cooperation. The PM defended Attorney General (AG) Dorothy Lightbourne's recent refusal of the USG's extradition request for Presley Bingham (Reftel A) on drug trafficking charges, and hinted that the GOJ would similarly refuse the pending Christopher "Dudus" Coke extradition request on procedural grounds. Post requests that Department authorize a demarche to the GOJ to convey the points delineated in paragraph 8. End Summary and Action Request.

Concern Over Law Enforcement Primacy in Bilateral Relationship

2. (SBU) The CDA had met earlier in the day with Ambassador Evadne Coye, Permanent Secretary (PS) in the GOJ's Ministry of Foreign Affairs and Foreign Trade (MFAFT), to express the USG's dissatisfaction over the AG's refusal of the Bingham extradition request (Septel). The PS apparently relayed those concerns to the Office of the Prime Minister (OPM), and by the end of the day the CDA was invited to Jamaica House to meet with the PM. PS Coye and Foreign Minister (FM) Kenneth Baugh also were present.

3. (SBU) The PM noted that he had been a long-standing supporter of the bilateral relationship, but was concerned that in recent years USG-GOJ ties seem to have become dominated by law enforcement concerns. The CDA countered that this was not the case, and cited a number of other areas of cooperation, including USAID, Peace Corps, military-to-military programs, consular services, tax compliance, and USG support for the GOJ's pending Standby Agreement with the International Monetary Fund (IMF) (Reftel B). When reminded of the scope of the bilateral relationship, the PM seemed pleased. The CDA also noted that, at the recent Chiefs of Mission

(COM) conference in Washington, Secretary Clinton and Assistant Secretary (AS) for Western Hemisphere Affairs Arturo Valenzuela had stressed the importance of the USG's partnerships in the Caribbean, while emphasizing that the USG could not divorce law enforcement cooperation from the wider range of issues and priorities in bilateral relationships.

#### Defends AG's Bingham Decision

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¶4. (SBU) The PM said that he had spoken with the AG regarding the Bingham case and defended her decision, noting that she had the legal authority to decide as she had done. The CDA assured the PM that the USG did not question the AG's authority, but had been surprised by the limited rationale that she had provided for her decision (Septel) The AG had had the opportunity to review the USG's extradition request in early 2009 before she had signed the order to proceed, and had given no indication at that time of any of the apparent "double jeopardy" concerns raised in the diplomatic note regarding the refusal. Similarly, the timing of the AG's refusal - coming one day before the expiration of the 60 day window within which Bingham would have to have been extradited - had put the USG in a difficult position, with U.S. Marshalls having been placed on standby and a USG plane deployed to the Norman Manley International Airport to transport Bingham to the U.S. The PM seemed to acknowledge these concerns.

#### Displeased With DAS Reynoso's Coke Comments

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¶5. (SBU) The PM also noted with displeasure that, on her recent visit to Jamaica (Reftel C), Deputy Assistant Secretary (DAS) of State for Central American and Caribbean Affairs Julissa Reynoso had spoken with local media representatives on the pending Coke extradition. The CDA reminded the PM that, although the U.S. Embassy and the GOJ had maintained a "gentleman's agreement" not to discuss the case publicly, no such assurances could be made on the part of the DAS. Nevertheless, the CDA noted that he had advised MFA/T of the DAS's visit and the likelihood that she would be asked about the Coke extradition. The FM confirmed to the PM that this advisement had in fact taken place and that the U.S. Embassy had been quite forthcoming regarding the DAS's media interviews and statements on the Coke extradition.

#### Hints At Coke Extradition Refusal

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¶6. (SBU) In their discussion, the PM spent considerable time questioning the propriety of elements of the Coke extradition request (Reftel D), demonstrating a great deal of familiarity with the intricacies of the case and suggesting that he had been following it closely. Matters of particular concern seemed to be: the identity of confidential sources cited in the extradition request; and, the propriety of members of the Jamaica Constabulary Force (JCF) appearing before the Grand Jury in the Southern District of New York without appropriate authorization by the Jamaican courts.

#### Analysis:

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¶7. (SBU) In the CDA's estimation, the PM gave every indication that the GOJ was leaning toward refusing the USG's Christopher Coke extradition request, although there was no explicit statement to this effect, and no time frame for a decision was mentioned. If this is the case, the Bingham extradition refusal might have been intended to establish a precedent on procedural grounds for a Coke refusal. Post will convey any additional information as it becomes available. End Analysis.

#### Action Request:

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18. (SBU) Post requests that the Department authorize a demarche to the GOJ conveying the following points:

a. The Jamaican Minister of Justice's decision not to extradite Presley Bingham is disappointing and regrettable. Mr. Bingham is accused of serious crimes involving international drug trafficking, which have harmed U.S. communities and fueled violence in Jamaica, with devastating consequences for the Jamaican people and legitimate Jamaican industries.

b. Our requests for the extradition of Mr. Bingham were based on thorough investigations and fully satisfied all of the requirements of our bilateral extradition treaty. The United States in no way engaged in any undue delay in this case. Indeed, the GOJ's failure to issue a surrender warrant in a timely manner led to the release of Mr. Bingham at the conclusion of the first set of extradition proceedings. For years, our cooperation with Jamaica in the area of law enforcement has been considerable, including on extradition matters. In fact, we consulted with the Jamaican Office of the Director of Public Prosecutions (DPP) to prepare both both our first and our subsequent extradition requests for Mr. Bingham, as we do in all extradition cases. The claim that extradition would be unjust due to delay is inconsistent with the MOJ's decision to proceed in response to our resubmission of the extradition request.

c. We fully respect the decisions of the Jamaican courts and magistrates, which in this case validated the USG's case against Mr. Bingham. Mr. Bingham chose not to appeal the decision in a timely manner. This decision by the Jamaican courts has now been overruled by the Attorney General, although the USG has acted in accord with our treaty obligations in this case.

d. Post awaits a more detailed explanation from the GOJ regarding this decision.  
Parnell